

U.S. Patent Application Serial No. 10/608,677  
Reply to Office Action dated January 13, 2006

### REMARKS

In the subject Action, claims 2-4 and 6-8 were rejected. Applicant has amended claim 8. Claims 2-4 and 6-8 remain pending in the present application. In light of the foregoing amendments and the following remarks, Applicant respectfully requests withdrawal of the pending rejections and advancement of this application to allowance.

#### Rejections Under 35 U.S.C. §103

Claims 4 and 8 were rejected under §103(a) as being obvious over Sundback in view of Marinsky. Applicant respectfully traverses this rejection.

Claim 8 recites "the fastener tapes are prevented from entering the slider". In sharp contrast, Sundback fails to disclose or suggest that the fastener tapes are prevented from entering the slider. Rather, Sundback discloses that the tapes 7 or 8 project through a slot 20 in the slider. See, e.g., page 1, right column, ll. 43-47; Figs. 1, 3, and 5. Moreover, Sundback teaches away from the fastener tapes being prevented from entering the slider (e.g., as recited in claim 8). Specifically, Sundback states:

"preferably I employ a slider generally designated 17 . . . The slider embodies at its entrance two channels 18, 19 which totally surround the opposite rows of fastener elements on four sides except for a slot 20 through which the tapes 7 or 8 project."

See, e.g., page 1, right column, ll. 40-55; Figs. 1, 3, and 5.

Also in sharp contrast, Marinsky fails to disclose or suggest "the fastener tapes are prevented from entering the slider". Rather, Marinsky discloses that the tape section 10 includes a body section 15 (shaped by the slider) and a sealing portion 17 (also shaped by the slider) with an end enlargement 18. See, e.g., page 1, right column, ll. 17-29. Further, Marinsky discloses that the tape end enlargements (18 and 18a) stop inside the body sections (15 and 15a) in the slider. See, e.g., Figs. 3-5. Therefore, the tapes in Marinsky are not prevented from entering into the slider.

U.S. Patent Application Serial No. 10/608,677  
Reply to Office Action dated January 13, 2006

Therefore, even if it is proper to combine the cited references, the combination fails to disclose or suggest "the fastener tapes are prevented from entering the slider" recited in claim 8. Accordingly, reconsideration and allowance of claim 8 are respectfully requested for at least the above reasons.

Claim 4 is dependent claim and so is also believed to be allowable over the art of record. Applicant does not otherwise concede the correctness of the Examiner's rejection and reserves the right to make additional arguments as may be necessary. Applicant respectfully requests reconsideration and withdrawal of the pending rejection.

Claims 2-3 and 6-7 were also rejected under §103(a) as being obvious. Applicant respectfully traverses this rejection. As discussed above, independent claim 8 is patentable. Claims 2-3 and 6-7 are dependent claims and so are also believed to be allowable over the art of record. Applicant does not otherwise concede the correctness of the Examiner's rejection and reserves the right to make additional arguments as may be necessary. Applicant respectfully requests reconsideration and withdrawal of the pending rejection.

#### Conclusion

This response is believed to be responsive to all points raised in the Office Action. Accordingly, Applicant respectfully requests reconsideration and allowance of all of the currently pending claims. Should the Examiner have any remaining questions or concerns, the Examiner is urged to contact the undersigned attorney at 612.336.4755 to discuss the same.



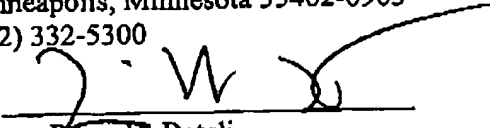
Dated: 13 March 2006

BHB:SZ:km

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

By

  
Brian H. Batzli  
Reg. No. 32,960